

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Jimmie Dale Jackson,

Civil No. 09-2139 JMR/AJB

Petitioner,

v.

ORDER

Timothy Wengler, Warden,

Respondent.

Based upon the Report and Recommendation by United States Magistrate Judge Arthur J. Boylan dated February 8, 2010, with all the files and records, and no objections having been filed to said Recommendation, **IT IS HEREBY ORDERED** that Jimmie Dale Jackson's petition under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody [Docket No. 4] is **dismissed with prejudice**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: March 1, 2010

s/James M. Rosenbaum
James M. Rosenbaum
Senior United States District Court Judge